

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated August 31, 2010 (hereinafter Office Action) have been considered. Claims 1-12, 14 and 35-46 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

The undersigned thanks Examiner Musselman for participating in an interview on November 24, 2010. During the interview, a proposed claim amendment for independent claims 1 and 35 was discussed. The undersigned agreed to remove the limitation “other than time” and it was agreed that this placed the claims in condition for allowance.

Claims 1-12, 14 and 35-46 are rejected based on 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Claims 1 and 35 have been amended to remove the limitation “other than time” and it was agreed that this rejection placed the claims in condition for allowance. Without acquiescing to these 112 rejections, it is believed that these rejections are now moot with regard to the claim amendments made in this response. The Applicant respectfully requests withdrawal of these rejections and submits that claims 1 and 35 and their dependents are in condition for allowance.

To the extent that the current response does not respond to any characterization in the Office Action of the asserted art or of the claimed subject matter, or to any application in the Office Action of the asserted art to any claimed subject matter, it is stated for the record that any such lack of response should not be interpreted as an acquiescence to such characterizations or applications. A detailed discussion of each of the Office Action’s characterizations, or any other assertions or statements beyond that provided above is unnecessary in view of the present response. The right to address in detail any such assertions or statements in the future is reserved.

Authorization is given to charge Deposit Account No. 50-3581 (GUID.058PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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